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| 09/679,320 | 10/04/2000 | Herschel Clement Burstyn | SAR 13978 | 7581 |

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PATENT DOCKET ADMINISTRATOR
LOWENSTEIN SANDLER P.C.
65 LIVINGSTON AVENUE
ROSELAND, NJ 07068

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| EXAMINER |
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ARANI, TAGHI T

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| ART UNIT | PAPER NUMBER |
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2139

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| MAIL DATE | DELIVERY MODE |
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05/14/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

| | | | |
|------------------------------|------------------------|---------------------------|--|
| Office Action Summary | Application No. | Applicant(s) | |
| | 09/679,320 | BURSTYN, HERSCHEL CLEMENT | |
| | Examiner | Art Unit | |
| | Taghi T. Arani | 2139 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 April 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 5, 10-13, 16-19 and 21-23 is/are rejected.
- 7) ☒ Claim(s) 2-4, 6-9, 14, 15 and 20 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-23 have been examined and pending.

Continued Examination Under 37 CFR 1.114

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 4/13/2007 has been entered.

Response to Amendment

3. Applicant's amendment filed 04/13/2007 necessitated the new ground(s) of rejection presented in this Office action.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1, 5, and 10-12 are rejected under 35 U.S.C. 102(b) as being anticipated by McAdam, US patent 4,964,162.

Referring to claim 1, McAdam teaches a method for distorting a recording of projected images, comprising the steps of:

imposing modulated entities on video content of video source material, the modulated entities being incompatible with the video content [col. 3, line 61 through col. 4, line 6, i.e. in the

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video encode, line spin scrambling transforms applied to the video line or video line segment, see also col. 10, line 5, line spin transform encoder];

demodulating the modulated entities, wherein the demodulated entities are compatible with the video content [col. 4, lines 40-68, i.e. in then decoder applying the same line spin scrambling that was applied in the video encoder, see also col. 16, lines 5-30, the video decoder]; and

projecting the video content to provide the projected images [col. 16, lines 31-33, i.e. the unscrambled video signal output is converted into an analog video signal].

Referring to claim 5, McAdam teaches the method of claim 1 further comprising the step of encoding modulation information corresponding to the modulated entities, wherein the projecting step further includes the step of decoding the modulation information [col. 4, lines 7-1, i.e. transform identifier indicating what particular transforms have been applied to each video segment and inserted into the horizontal blanking interval].

Referring to claim 10, McAdam teaches the method of claim 1 wherein the video source material comprises film [col. 1, lines 20-24, col. 2, lines 40-53].

Referring to claim 11, McAdam teaches the method of claim 5 wherein the video source material comprises film, the encoding step including storing the modulation information on the film [col. 4, lines 7-17, i.e. the encrypted transform identifier and seed value are then inserted into the horizontal blanking interval of the line-spin scrambled video signal, see also col. 57-67).

Referring to claim 12, McAdam teaches the method of claim 5 further comprising the step of varying the modulation information with respect to the video source material [column 2, col. 4, lines 7-17, col. 7, lines 60-67 i.e. a transform identifier indicating what particular

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transforms have been applied to each video line along with a seed value to synchronize with the similar one at the receiver].

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 13, 16-19, 21-22 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over McAdam, US patent 4, 964,162 and further in view of US 5, 680,454 to Mead.

Referring to claims 13 and 17, McAdam teaches a video source material for a projection system and a system for distorting a recording of projected images, comprising:

modulated entities incompatible with a video content of the video source material; [col. 3, line 61 through col. 4, line 6, i.e. in the video encoder, line spin scrambling transforms applied to the video line or video line segment, see also col. 10; line 5, line spin transform encoder]; and selectively deliverable modulation information, wherein the projection system demodulates the modulated entities according to the modulation information [col. 4, lines 7-1, i.e. transform identifier indicating what particular transforms have been applied to each video segment are inserted into the horizontal blanking interval, see also column 2, col. 4, lines 7-17, col. 7, lines 60-67, where a transform identifier indicating what particular transforms have been applied to each video line along with a seed value to synchronize with the similar one at the receiver], wherein the modulated entities are compatible with the video content [col. 4, lines 40-

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68, i.e. in then decoder applying the same line spin scrambling that was applied in the video encoder, see also col. 16, lines 5-30, the video decoder].

McAdam does not teach but Mead teaches that the projection system introduces a recording device dependent interference on the projected video content [Mead, Abstract, col. 1, line 54 through col. 2, line 6, wherein unauthorized duplication during a display of an image sequence is prohibited by displaying an image sequence at a frame rate which is varied for successive pairs of the image frames in dependence upon a pseudo-random noise sequence]. Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made, to have McAdam's encoder/decoder to impose a recording device dependent interference as taught by Mead for displaying the image sequence at a frame rate imperceptible by a human observer (Mead, col. 1, lines 64-67).

Referring to claim 16, McAdam teaches the video source material of claim 13 wherein the modulated entity includes a spatially modulated entity (col. 8, lines 25-38).

Referring to claims 18-19, McAdam teaches the system of claim 17 wherein the video source material includes film and wherein the modulation information is encoded on the film [col. 1, lines 20-24, col. 2, lines 40-53].

Referring to claims 21 and 22, McAdam teach the system of claim 17 wherein the projection system includes an electronic projection system and the modulation information includes information downloadable from a remote source, wherein the modulation information includes packetized information [col. 4, lines 15-18].

6. **Claims 23** is rejected under 35 U.S.C. 103(a) as being unpatentable over McAdam as applied to claim 1 and further in view of US 5, 680,454 to Mead.

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Referring to claim 23, McAdam does not teach but Mead teaches wherein the projecting step includes imposing a recording device dependent interference on the projected video content [Mead, Abstract, col. 1, line 54 through col. 2, line 6, wherein unauthorized duplication during a display of an image sequence is prohibited by displaying an image sequence at a frame rate which is varied for successive pairs of the image frames in dependence upon a pseudo-random noise sequence].

Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made, to have McAdam's encoder/decoder to impose a recording device dependent interference as taught by Mead for displaying the image sequence at a frame rate imperceptible by a human observer (Mead, col. 1, lines 64-67).

Allowable Subject Matter

7. Claims 2-4, 6-9, 14-15, and 20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.


Conclusion

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Taghi T. Arani whose telephone number is (571) 272-3787. The examiner can normally be reached on 8:00-5:30 Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on (571) 272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


TAGHI ARANI
PRIMARY EXAMINER
5/10/07